

REMARKS

This application has been carefully reviewed in light of the Office Action dated February 7, 2005. Claims 1 to 16 are in the application, of which Claims 1, 4, 5, 6, 8, 10, 11, 14, 15 and 16 are independent. Reconsideration and further examination are respectfully requested.

Claims 1 to 7 were rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,754,822 (Zhao '822). Claims 8 to 14 were rejected under 35 U.S.C. §103(a) over Zhao '822 in view of U.S. Patent No. 6,067,582 (Smith). Claims 15 and 16 were rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,141,753 (Zhao '753). Reconsideration and withdrawal of the rejections are respectfully requested because the cited references are not seen to teach all of the aspects of the present claims.

Claims 1, 4 and 5

Regarding Claims 1, 4 and 5, in particular, the cited references are not seen to teach or suggest at least the aspect of using a public key digital watermarking method to determine whether a digital watermark is embedded in information.

This aspect of the claimed invention addresses a drawback of traditional methods of inspecting information stored in terminals, such as digital watermark information. Specifically, traditional methods use a secret key system to determine whether a digital watermark is embedded in information stored in a terminal. Thus, in traditional methods when such secret key information leaks, the leaked information can be used to locate and destroy the digital watermark.

On the other hand, independent Claim 1 is directed to an inspection method for inspecting information including a program module that determines whether a digital

watermark is embedded in the information by using a public key digital watermarking method. For example, page 17 of the Specification discusses a public key digital watermarking method disclosed in Japanese Patent Laid-Open No. 11-289255 in which error correction coding is utilized. Since error correction is made independently of the digital watermarking algorithm, the digital watermarking algorithm can be disclosed because even if the digital watermark position is destroyed, information about the digital watermark can be securely recovered. Thus, for example, even if the program module is analyzed by an unscrupulous user, digital watermark information remains protected.

In contrast to the claimed invention, Zhao '822 is seen to disclose a traditional watermark monitoring system that utilizes a secret watermark key 913. In fact, Zhao '822 expressly states that "watermark key 913 must be protected, since access to the key would permit those intent on stealing digital representations to remove or alter the digital representation's watermark." (column 18, lines 38 to 41 of Zhao '822). Therefore, Zhao '822 is not seen to disclose at least the aspect of the claimed invention discussed above.

The other cited references are not seen to provide what is missing from Zhao '822. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

Claims 6, 8 and 10

Regarding Claim 6, 8 and 10, the cited references are not seen to teach disclosing a part of a digital watermark extraction technique on a network. For example, Claim 6 is directed to an inspection method including a step of disclosing a part of digital watermark information related to a digital watermark extraction method on a network. The

method also includes installing at least the part of digital watermark information in a terminal which desires the installation of the digital watermark extraction method, and inspecting authenticity of information in the terminal using the digital watermark information installed in the terminal.

In contrast, Zhao '822 is not in any way seen to teach or fairly suggest disclosing a part of digital watermark information related to a digital watermark extraction method on a network. Rather, as stated above, Zhao is directed to a traditional watermark monitoring method that utilizes secret information, such as watermark key 913, the disclosure of which could compromise the digital watermark system. As such, the method of Zhao '822 cannot teach this claimed aspect of the invention.

The other cited references are not seen to provide what is missing from Zhao '822. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

Claims 11, 14, 15 and 16

Regarding Claims 11, 14, 15 and 16, the cited references are not seen to teach or suggest at least the aspect of an inspection step of inspecting authenticity of the information using the technique by the user. For example, Claim 11 is characterized by an inspection method including an accept step of accepting a purchase application of information via a network. The method also includes a presentation step of presenting a copyright protecting technique used to protect a copyright of the information via the network, and a providing step of providing the information protected by the technique to a user when an agreement with the technique of the user who applied for purchase of the

information is confirmed. The method further includes an inspection step of inspecting authenticity of the information using the technique by the user.

In contrast, Zhao '822 is not seen to disclose inspecting authenticity of information by a user. Rather, Zhao '822 fails to disclose anything related to inspecting of such information by a user, rather, a watermark agent analyzes the watermark. With regard to Zhao '753, and as the Office Action points out with regard to Claim 15, Zhao '753 teaches "the [copy server 103(j)] use the encryption/decryption keys to track software copies and identify who [is] using them." (Office Action page 5).

The other cited references are not seen to provide what is missing from Zhao '822 and Zhao '753. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

The other claims in the application are dependent from the independent claims discussed above and therefore are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendment and remarks, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa,
California office at (714) 540-8700. All correspondence should continue to be directed to
our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael K. O'Neill", written over a horizontal line.

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